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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,134	04/01/2004	Pascal Viger	01807.101370.	8105
5514	7590	08/19/2009	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			SHAW, PEILING ANDY	
30 ROCKEFELLER PLAZA			ART UNIT	PAPER NUMBER
NEW YORK, NY 10112			2444	
MAIL DATE		DELIVERY MODE		
08/19/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/814,134	<b>Applicant(s)</b> VIGER ET AL.
	<b>Examiner</b> PELING A. SHAW	<b>Art Unit</b> 2444

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 01 May 2009.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-3,5-21 and 24-26 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-3, 5-21 and 24-26 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/136/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_

5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

**DETAILED ACTION**

1. Amendment received on 05/01/2009 has been entered into record. Amendment to the specification is reviewed and accepted. Claims 1, 10, 12, 20 and 24 are amended. Claims 4, 22-23 are cancelled. Claims 25-26 are new. Claims 1-3, 5-21 and 24-26 are currently pending.

***Priority***

2. This application has claimed a priority on France 0304363 filed on 04/08/2003. The filing date is 04/01/2004.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-21 and 24-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Gut et al. (US 7006099 B2), hereinafter referred as Gut.

a. Regarding claim 1, Gut disclosed a method of access to a digital document in a communication network, said method being implemented in a device (Fig. 1, column 2, lines 29-55: a regenerative cache system includes a interface, logic element, memory and processor, request JPEG 2000 image, request document) and comprising the following steps: selecting a first data item in a digital document, the digital document comprising at least first and second data items (column 2, lines 21-28: anticipated requested objects; column 4, line 47-column 5, line 17: a object contains an object tag providing information related to the object and an object payload containing additional information related to the object, e.g. XML, CGM, FITS, GIF, RIFF, JPEG); verifying the presence of at least one address of a location containing the second data item of the digital document in storage means of the device (column 2, lines 21-43: determine if an anticipated requested object is missing from the cache;

column 4, lines 47-51: objects stored are individually addressable by memory location, filename, virtual address map or address loop-up); in the absence of the address in the storage means of the device, seeking the address in the network (column 4, lines 47-51: virtual address map or address loop-up, objects stored are individually addressable by address loop-up); in the event of determining the address by the seeking step, storing the address obtained by the seeking step in the storage means of the device (column 5, line 44-column 6, line 5: directory, address map); and upon receiving a subsequent request to access the second data item, accessing the second data of the document from the address thus stored (column 5, line 44-column 6, line 5: object from cache memory, or obtained and cached in anticipation from external request, retrieved from one or more remote storage device).

b. Regarding claim 2, Gut disclosed a method according to claim 1, wherein the address of the location containing the second data item of the digital document is local (column 4, lines 47-51: objects stored are individually addressable by memory location, filename).

c. Regarding claim 3, Gut disclosed a method according to claim 1, wherein the address of the location containing the second data item of the digital document is distant (column 4, lines 47-51: objects stored are individually addressable by virtual address map or address loop-up; column 5, line 44-column 6, line 5: object obtained and cached in anticipation from external request, retrieved from one or more remote storage device).

- d. Regarding claim 5, Gut disclosed a method according to claim 1, wherein the first and second data item are of the same resolution (column 11, line 56-column 12, line 3: entire full-sized, full-color, full-resolution).
- e. Regarding claim 6, Gut disclosed a method according to claim 1, wherein the digital document is a collection comprising a list of objects (column 11, lines 6-29: one or more tiles).
- f. Regarding claim 7, Gut disclosed a method according to claim 1, wherein the first and second data items are of different resolutions (column 11, line 56-column 12, line 3: subset of JPEG 2000 image, larger image, grayscale of color image, thumbnail, reduced-quality image).
- g. Regarding claim 8, Gut disclosed a method according to claim 1, wherein the resolution of the first data item is less than that of the second data item (column 5, line 44-column 6, line 29: increasing resolution; column 11, line 56-column 12, line 3: subset of JPEG 2000 image, larger image, grayscale of color image, thumbnail, reduced-quality image).
- h. Regarding claim 9, Gut disclosed a method according to claim 1, wherein the digital document comprises more than two different resolutions (column 11, line 56-column 12, line 3: subset of JPEG 2000 image, larger image, grayscale of color image, thumbnail, reduced-quality image).
- i. Regarding claim 10, Gut disclosed a method according to claim 1, further comprising the following steps: determining the current resolution of the digital document available at the device (column 12, lines 37-51: chache first JPEG 2000 object );

verifying the presence of at least one second address of a location containing a higher resolution of the digital document in the storage means of the client device (column 12, line 52-column 13, line 3: request full-resolution from thumbnail); in the absence of the second address in the storage means, seeking the second address in the network (column 4, lines 47-51: objects stored are individually addressable by address loop-up); in the event of determining the second address, storing the second address obtained through the second address seeking step in the storage means of the device (column 5, line 44-column 6, line 5: directory, address map); and upon receiving a subsequent request to access the higher resolution of the document, accessing the higher resolution of the document from the second address thus stored (column 5, line 44-column 6, line 5: object from cache memory, or obtained and cached in anticipation from external request, retrieved from one or more remote storage device).

- j. Regarding claim 11, Gut disclosed a method according to claim 1, wherein the digital document belongs to the group consisting of fixed images or photographs, video sequences, and computer files of office application (column 4, line 47-column 5, line 17: a object contains an object tag providing information related to the object and an object payload containing additional information related to the object, e.g. XML, CGM, FTTS, GIF, RIFF, JPEG).
- k. Claims 12-21 are of the same scope as claims 1-3 and 5-11. These are rejected for the same reasons as for claims 12-22.
- l. Claim 24 is of the same scope as claim 1. It is rejected for the same reasons as for claim 1.

- m. Regarding claim 25, Gut disclosed the method according to Claim 1, wherein, when accessing the second data item of the document from said address thus stored, in the case of incomplete access, trying another address obtained through the seeking step and stored in the storage means of the device (column 6, lines 55-67: components are used and combined to form the requested object and the original components no longer stored).
- n. Regarding claim 25, Gut disclosed the method according to Claim 25, wherein, when no other address is available for trying another address obtained through the seeking step and stored in the storage means of the device, again seeking a location of the second data item in the network (Fig. 5, column 7, lines 1-37: determining missing components and retrieving missing components).

Gut disclosed all limitations of claims 1-3, 5-21 and 24-26. Claims 1-3, 5-21 and 24-26 are rejected under 35 U.S.C. 102(e).

***Response to Arguments***

4. Applicant's arguments filed on 05/01/2009 have been fully considered, but they are not persuasive.

a. Applicant has amended claims 1, 10, 12, 20 and 24 and added claims 25-26.

Examiner has reviewed the amended changes and new claims 25-26 in light of applicant's specification and previous claim set. Examiner has further reviewed claim rejections and applied prior art, i.e. Gut, as per office action mailed on 06/23/2008.

Examiner has found Gut is still applicable to current amended claim set, including newly added claims 25-26. Claim rejections are updated to reflect the amended claim set and references cited from Gut.

b. Applicant has pointed out sections from applicant's specification to support the amended claim set (see page 10 of current amendment). Applicant has asserted the references cited as per previous office action mailed on 06/23/2008 do not cover the amended claim set (see 1<sup>st</sup> and 2<sup>nd</sup> paragraphs on page 11 of current amendment).

c. Examiner does not agree and asserts that the updated references cited from Gut and Gut in general have disclosed applicant's claimed invention. Particularly, Gut has disclosed in Fig. 4 and associated sections in Gut's specification, the general idea of locating object components from cache for object retrieve. Gut has further detailed in Fig. 5 and associated sections in Gut's specification the construct of object from components from cache and determine if missing components exist and fetching the missing components. Gut does disclose the claimed invention, in particularly how caching is set up to fetch and store objects in local storage for further retrieval of

objects (see **Background of Invention** in Gut). Later Gut has disclosed how caching is applicable in image file retrieval with respect to low and high image resolution as specified in **JPEG 2000** (see Fig. 7-8 and associated sections in Gut's specification).

***Remarks***

5. The following pertaining arts are discovered and not used in this office action. Office reserves the right to use these arts in later actions.

- a. Blumberg (US 6886034 B2) Method and system for viewing scalable documents
- b. Ko et al. (US 7343555 B2) System and method for delivery of documents over a computer network
- c. Deshpande et al. (US 7260614 B2) Methods and systems for scalable streaming of images with client-side control

***Conclusion***

6. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to the enclosed PTO-892 for details.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peling A. Shaw whose telephone number is (571) 272-7968. The examiner can normally be reached on M-F 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/P. A. S./  
Examiner, Art Unit 2444

/Paul H Kang/  
Primary Examiner, Art Unit 2444